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HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

DIVISION BENCH

CORAM : HON'BLE SHRI S.R. NAYAK, CJ
& HON'BLE SHRI D.R. DESHMUKH, J.

Writ Petition No.116 of 2006

PETITIONER All Agriculturists of Vill. Raliya & Bhilai Bilaspur

VERSUS

RESPONDENTS

1. State of C.G.
   Through Secretary,
   Deptt. of Land Revenue,
   D.K.S. Bhawan Raipur (C.G.)
2. Collector, Bilaspur (C.G.)
3. Sub-Divisional Land Acquisition Officer, Bilaspur
4. General Manager,
   N.T.P.C., Seepat
   Bilaspur (C.G.)

Present: Shri Vinay Harit, learned Dy. A.G. for the State.

Shri Prashant Mishra, learned Sr. Advocate with Shri V.R. Tiwari, learned counsel for respondent No. 4.

ORAL ORDER
(Passed on 24th August, 2006)

The following oral order of the Court was passed by

S.R. NAYAK, CJ .

A letter addressed to Hon'ble the Chief Justice of this Court was registered as writ petition and notices were ordered. The crux of the allegation contained in the letter is that there exist two drains for carrying water to the lands of the petitioners from Hardadih canal and Raliya canal; the said drains have been damaged on account of the construction of Ash Dyke across those drains thereby stopping the water flow to the lands of the petitioners, thereby rendering the lands of the petitioners uncultivable and useless. In the reply filed by the respondent No. 4, General Manager,

N.T.P.C., Seepat, this allegation is squarely denied and it is contended that there are no such drains on the lands acquired by the State Government for N.T.P.C. for construction of Ash Dyke. It is also denied that on account of the construction of the Ash Dyke, the lands of the petitioners are not rendered uncultivable or useless. In the circumstance, we think that there is no need for taking further steps or to monitor further. The writ petition is accordingly disposed of. No costs.

CH

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge